


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEVEN ALAN GARDNER,)	
Petitioner,)	
)	
v)	Civil Action No. 09-339
)	
COMMONWEALTH OF)	
PENNSYLVANIA,)	
Respondent.)	

O R D E R

AND NOW, this *30th* day of *April* 2009, after a petition for a writ of habeas corpus was filed by the petitioner, Steven Alan Gardner, and after the Report and Recommendation of the United States Magistrate Judge was issued, and the petitioner submitted written objections thereto, and upon consideration of the petitioner's objections, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Steven Alan Gardner for a writ of habeas corpus is transferred forthwith to the United States Court of Appeals for the Third Circuit pursuant to 28 U.S.C. § 1631 as a successive petition.


United States District Judge